

AMESBURY
CITY HALL
62 Friend Street
Amesbury, MA 01913
978-388-8100

Virtual City Council Meeting Minutes
Tuesday, October 12, 2021
7:00pm

This meeting was conducted under S. 2475, An act relative to extending certain COVID-19 measures adopted during the state of emergency, signed on June 16, 2021

The public was able to view this meeting on:

- **ACTV Channel 12**
- **the ACTV website: amesburyctv.org/channel-12-live**
- **or the ACTV Facebook Page:
www.facebook.com/AmesburyCommunityTelevision**

Public comment was able to be made by:

- **Emailing your comment in advance to clerk@amesburyma.gov. Your comment will be read aloud at the appropriate time in the agenda and entered into the public record.**
- **Commenting on the Facebook Live stream on Amesbury Community Television's Facebook page,
<https://www.facebook.com/AmesburyCommunityTelevision>. Please begin your comment with PUBLIC COMMENT if you would like it to be read aloud. If the public hearing for the item you wish to speak on has already been closed, your comment will be added to the record but not read aloud**

**Members of the public were able to dial in to GoToMeeting at +1 (646) 749-3122
Access Code: 721-200-365**

**Copies of agenda items (first and second readings) can be found online at
www.amesburyma.gov/city-council/pages/2021-council-bills**

Councilor Einson opened the meeting at 7:03pm

The Pledge of Allegiance was led by Councilor Wheeler

Members present were Councilors Wheeler, Gilday, Hogg, Kisielewski, Lennon at 7:38pm, Mandeville, Rinaldi, Stanganelli and Einson

Minutes for approval: February 2, 2021, February 16, 2021, March 23, 2021, September 14, 2021 and September 17, 2021

Councilor Stanganelli moved to approve the minutes of February 2, 2021, February 16, 2021, March 23, 2021 and September 17, 2021.

Councilor Wheeler seconded

Roll call vote was taken and it was voted in favor (8) Unanimous

October 12, 2021

Councilor Stanganelli moved to approve the minutes of 9/14/2021 as presented.
Councilor Rinaldi seconded.
Roll call vote was taken and it was voted in favor (6) Abstained (2) Wheeler and Kisieleski

2021-133 Appointment of Matt Sherrill to the position of member of the Design Review Committee for a term to expire February 29, 2024

Mr. Sherrill introduced himself as the owner of Gould Insurance and noted that he has also served on the Zoning Board of Appeals for many years. He noted that once he purchased the insurance company he stepped down because he was afraid of potential conflict with his insured clients. He stated that the Mayor and Angela Cleveland asked him to step into this role.

Councilor Stanganelli moved to approve 2021-133 as presented.
Councilor Mandeville seconded.
Roll call was taken and it was voted in favor (8) Unanimous

Councilor Stanganelli made a motion to accept the October 2021 license list.
Councilor Rinaldi seconded.
Roll call vote was taken and it was voted in favor (8) Unanimous.

Councilor Wheeler gave an update on the Charter Review, he updated on the Elementary School Building project, reminded that Campaign Finance documents were due by 10/25/21, and introduced that he has received comments from residents on High St in regards to High St paving and the state of the sidewalks. There is also a petition and an e-mail from Dave Saums that has been shared and that there are residents here to speak at public comment.

2021-134 November 2, 2021 Election Warrant

The warrant was read into the record.
Councilor Mandeville moved to approve 2021-134 as presented.
Councilor Stanganelli seconded
Roll call vote was taken and it was voted in favor (8) Unanimous

Chief Berkenbush gave a Vaccine Update
Angela Cleveland gave a CDBG update on the general CDBG grants and the Small Business Grant Program. She also gave a presentation on the I AMesbury 2030 along with Mary Chatigny and Peter Frey.
Councilor Stanganelli gave an update on the Amesbury Housing Trust and gave a Finance Committee report.

Public Comment

Maureen Donahue of High St stated that she submitted a petition for repairs to High St. and sidewalks and curbing and handicap access.

Valerie Vigneault, of High St also spoke on the issues with High St and what they are petitioning.

Joseph Vigneault of 102 High St spoke on the High St re-construction.

Kathleen Aiken of 109 High St read an e-mail that she had sent.

Elizabeth Ryan of 105 High St spoke regarding High St sidewalks

David Saums of 100 High St spoke regarding High St and sidewalks

Mark Irving of 104 High St spoke regarding High St and sidewalks.

Councilor Einson closed the Public Comment period.

Councilor Gilday responded by asking those that spoke to form a neighborhood group and bring these issues to the Traffic Committee.

Rob Desmarais, DPW Director stated that currently there are no town funded sidewalks planned. They are focusing on paving (overlays) for this and next year.

Councilor Stanganelli echoed Councilor Gilday that most of the comments regarding the traffic should go through Traffic and Transportation Commission. Best the Council can do is advocate.

Councilor Einson stated that he is on the Traffic Committee and this is exactly what should be brought before them to try to work through some possible solutions.

Second Readings

Public Hearings -

2021-127 An Order to authorize the Mayor to accept and expend a FY20 Assistance to Firefighters (AFG) Grant from the Federal Emergency Management Agency (FEMA) for an aerial ladder truck. – Mayor Sponsor

Summary: This AFG grant from FEMA (in the amount of \$947,619.05), with a City of Amesbury match of 5% of Federal funds awarded (\$47,380.95), totals \$995,000.00 to fund purchase of an aerial ladder truck for the Amesbury Fire Department. This NFPA 1901 Compliant quint-type aerial ladder, with a minimum of 100-foot aerial ladder and 1500 gpm pump, will carry up to six (6) firefighters.

Councilor Stanganelli read the Finance Committee recommendation of September 28, 2021 in which 2021-127 was sent back to the Council with a positive recommendation and noted that the match was already in the budget for this year.

Councilor Einson opened and closed the public hearing.

Chief Berkenbush stated that at this is to replace our 1992 E1, which is inoperable at this point in time.

Councilor Stanganelli asked Chief Berkenbush if he knew what the ISO rating is relative as a Fire Department in the city.

Chief Berkenbush stated that right now we are a 4.9.

Councilor Stanganelli moved to approve 2021-127 as presented.

Councilor Rinaldi seconded.

Roll call vote was taken and it was voted in favor (9) Unanimous.

2021-132 An Order to authorize the Mayor to accept and expend a FY20 Staffing for Adequate Fire and Emergency Response (SAFER) Grant from the Federal Emergency Management Agency (FEMA). – Mayor Sponsor

Summary: This SAFER grant from FEMA (in the amount of \$2,112,921.84), with no City of Amesbury match, will fund additional positions in the Fire Department for the life of the grant.

Councilor Stanganelli read the Finance Committee recommendation of September 28, 2021 in which 2021-132 was sent back to the Council with a positive recommendation.

Councilor Einson opened and closed the public hearing.

Councilor Wheeler spoke regarding the staffing levels in 2020 vs. now and if that comes into play at all with these 8 additional positions.

Chief Berkenbush stated that right now they staff at a 6-person minimum. During the pandemic we were staffing at person to person coverage so we were staffing up to 8. That gave us the ability to handle multiple calls at one time. During the pandemic our issue was turnaround time with the ambulance, due to putting on and taking off personal protective equipment and the need for extensive cleaning.

They did find that they were able to handle 95% of their runs without mutual aid or call back because of the staff they had on hand.

There was discussion on staffing levels and the length of time for training and the actual number of full complement for firefighters is 32.

Councilor Lennon stated that with the information that she has heard given at every meeting in the last 13 months that included Fire Department presentations for capital planning and now an increase in staffing she cannot justify making this decision right now. She stated that Chief Berkenbush did not express the need just a year ago for 8 new firefighters which would give us a full complement of 40. The city has already invested in the new ambulance and now the engine. She feels she cannot possibly explain this to a taxpayer.

Councilor Stanganelli asked about the digitizing of surveys or reports by outside consultants regarding staffing that were to be digitized and loaded to the web site. He noted that if there are retirees the Fire Department will be short of their 32-man complement for at least a year.

Councilor Wheeler questioned the grant and the additional positions being created, if there are retirees does that take us out of compliance with the grant?

Chief Berkenbush stated no.

Councilor Wheeler then noted that contractually our minimum staffing is 6 per shift. He questioned if adding staffing would mean that the Union contract would have to be increased to create those positions beyond the minimum of 6 per shift.

Chief stated that the City during Union negotiations is not under any obligation to meet the minimum staffing if they so desire not to.

Councilor Wheeler asked Mr. Fahey if the Council can be given a copy of the staffing report of 2019 from the last administration that led to this grant being applied for.

Mr. Fahey stated that he would check on the status of that and make sure it is on the city website.

Councilor Einson questioned that the grant is tied to hiring 8 positions.

Chief Berkenbush stated that was correct.

Councilor Einson stated that if we don't hire those 8 positions, the grant goes back?

Chief Berkenbush stated that was correct.

Councilor Einson asked if there was a time during which those hires need to be made?

Chief Berkenbush stated it would have to happen within 180 days of the award date which was September 10, 2021.

Councilor Einson asked if there are retirees, does he intend to back fill those positions?

Chief Berkenbush stated that he does intend to back fill those positions. At the end of this grant, the city is under no obligation to retain those 8 firefighters. So, when the money runs out, the city is not obligated to retain those people.

Councilor Lennon stated that at the September 17, 2020 budget hearing the Chief represented to that when he was down 9 firefighters during the opioid epidemic, the highest value that he had to come to council for free cash overtime was \$435,000.

Adding 8 firefighters will encumber the Fire Department budget to the tune of around \$705,000 with no representation or data to show the need.

Councilor Stanganelli moved to approve 2021-132 as presented.

Councilor Gilday seconded.

Roll call vote was taken and it was voted in favor (6) Opposed (3) Kisielecki, Lennon and Einson

2021-043 An Ordinance to amend Amesbury Zoning Bylaws (2015 as amended) to govern electronic signs, message boards, and billboards – Councilors Stanganelli, Mandeville, and Lennon Sponsor

Summary: A measure to amend the Amesbury Zoning Bylaw by updating Section VII: Signs to include defined uses and restrictions on electronic outdoor advertising.

Councilor Einson stated that this first reading was during the March 9 CC meeting, and was referred to the Ordinance Committee and Planning Board. The public hearing was continued as the sponsors have worked on updating the ordinance based on various recommendations and questions. Can the ordinance committee provide an update?

Councilor Mandeville stated that at the Ordinance Committee meeting of September 21, 2021, order 2021-043 was sent back to the Council with a positive recommendation with inclusion of edits noted by Atty. Raffa as follows:

- on the second page in the third paragraph beginning, “Permanent or temporary...” the section, “displays signs” should be “*displays*”.
- Strike the word “*property*” in that same paragraph.

Councilor Stanganelli stated that Version 4 is the correct version of this bill and there is a typographical error that was not picked up by the Planning Board.

Councilor Einson opened the public hearing.

Phil DeCologero of the Chamber of Commerce asked if this would prohibit any signage that is already existing?

Councilor Stanganelli stated that paragraph 2 would answer that. He stated that he does not believe that this would prohibit anyone from having a display attached to some property.

Councilor Mandeville stated that based on the existing signage legislation for business signs in Amesbury, you are not technically allowed to have electronic signs in your window now. There is no broad brush answer to this.

Mr. DeCologero stated that he would like to ask the Council to not prohibit the usage of electronic signs.

Janine Whittaker had a Facebook comment that she can think of an example of the signage question; for a Real Estate Office with a digital display that may rotate homes for sale, would that need to be removed?

Councilor Lennon stated that we don't want to speak specifically about properties or any storefront in particular but she feels this follows through with Phil's question. If it is in violation but has not suffered any consequences to date, then it is not subject to the matter before us. That is something that Inspectional Services can take up separately under existing ordinance on the code. This is about large billboards, mobile billboards, new advertising and grand scales.

Councilor Gilday asked if basically they are talking about tall billboards on the highway and if that is the correct interpretation.

Councilor Mandeville stated that currently billboards are not allowed in the City of Amesbury. What this bill seeks to do is to define what constitutes as a billboard. In the current definitions, we have not specifically addressed electronic billboards. This is a desire to get ahead of someone trying to find a loophole in the current legislation that we have and trying to make a case that electronic billboards, or message signs, or movable electronic signs are not covered or defined in here. The intention is to keep those natural resources along 495, clean and pristine.

Councilor Stanganelli mentioned that the second paragraph on page 2 does mention: Nor electronic menu boards. He commented that his interpretation in the case of a bank, mortgage company or a Real Estate Agency, their menu happens to be the cost of money and the inventory of Real Estate.

Councilor Einson closed the public hearing.

Councilor Stanganelli moved to accept 2021-043 with the Ordinance Committees proposed edits.

Councilor Mandeville seconded.

Roll call vote was taken and it was voted in favor (8) Opposed (1) Kisieleski

2021-093 An Ordinance to establish a licensing process for short term leases of residential units in the City of Amesbury. – Mayor Gove and Councilor Gilday sponsor

Summary: Like many communities in the Merrimack Valley and on the North shore, Amesbury is a desirable location to visit. Companies like Airbnb and VRBO offer an “away from home” experience by offering residential units for lease. However, this can negatively impact the community and our neighborhood character if left unchecked. Therefore, the City of Amesbury should establish a licensing process permitting residential units to be leased on a short-term basis through brokers such as Airbnb, VRBO, etc. This process has been researched extensively through interviews with similar communities across the Commonwealth. This is Step 1 of a two-step process. Once the licensing process is established, regulations should be developed and adopted outlining the length of stay, number of leasing agreements per year, and other criteria that will minimize the impacts of these short-term rental units on the City’s neighborhoods, but still allow a resident to temporarily lease their units to visitors to enjoy and appreciate Amesbury.

The first reading on this item was at the June 9, 2021 council meeting, it was referred to Ordinance, Inspection Services, and Finance for recommendations, and the Planning Board for information purposes. Ordinance recommendation to continue to September 21 ordinance meeting.

Councilor Mandeville read the Ordinance Committee recommendation of September 21, 2021 meeting in which 2021-093 was sent back to the City Council with a positive recommendation pending the inclusion of language to identify that each unit shall be licensed and subject to licensing oversight.

Councilor Einson opened the public hearing.
He mentioned that at the last meeting there was a memo from Lon Sherman that was held until this meeting.

Councilor Gilday read the memo (copy attached).

Councilor Einson opened and closed the public hearing.

Councilor Lennon moved to approve 2021-093 as amended to incorporate the Ordinance Committee recommendation.

Councilor Gilday seconded.

Roll call vote was taken and it was voted in favor (7) opposed (2) Kisieleski and Stanganelli

2021-102 An Ordinance to create a Town Forest Conservation Area- Councilors Stanganelli, Hogg Sponsor.

Summary: A measure to create and protect a Town Forest Conservation area, in order to preserve open space and provide for passive recreational use that promotes the quality of life of Amesbury residents and for the preservation of natural resources under the provisions of M.G.L. c. 40 §8C, as it may hereafter be amended; M.G.L c.45 §3, as it

may hereafter be amended; and of Article 97 of the Massachusetts Constitution, as amended. Land would be placed under the care and custody of the Conservation Commission, to be known collectively as the Amesbury Town Forest. Current uses would continue.

Councilor Einson stated that this item was continued from the September 2021 CC meeting. At that meeting, the council received a positive recommendation from Ordinance for Version 6 with planning board changes, a positive recommendation with some technical corrections from OSNRT committee, and a positive recommendation from the Planning Board.

The public hearing was opened and closed at the September council meeting.

Councilor Stanganelli informed of a typographical error that was discovered by the Assessor's Office. Under Section 1, Conservation/Parkland; item 4, 206 Lions Mouth Rd should reference R not RR.

Councilor Wheeler asked if there had been any response from KP Law or the Assessor in regards to the Assessor Map 61 lot 5 showing a single family home.

Councilor Stanganelli stated that he received an e-mail today from the Assessor and he indicated that the outline map that you are seeing on the Ortho Aerial or whatever it is called, may be incorrect. He is going to reach out to the Merrimack Valley Planning Commission to have them change that. As far as he can tell, looking at the Assessor's cards, that the structure that he is referring to he believes is on 27 Elizabeth St. which happens to abut the subject parcel, Assessor Map 61-5.

Councilor Wheeler stated that he would like something in writing that either the Assessor or KP Law, is positively sure that Map is not correct and that there isn't a structure on the property.

Councilor Stanganelli read the e-mail from the Assessor:

Tuesday, October 12, 2021 at 11:40am.

"First parcel in question I believe is 206 Lions Mouth Rd #R, Not #RR as mentioned below. Map 61-5 mentions this because parcel 206 #RR is found on Map 50-22-Y and is owned by the City of Amesbury and abuts the parcel in question. That particular parcel is closer to Quimby Ln.

Looking at both our GIS and Pictometry images it looks like there is a structure on parcel 61-5. I would assume that the shape file showing the properties boundaries are off and I will bring this to MVPC's attention. I believe the building should be on parcel 62-5 which is 27 Elizabeth St. That property record card is attached along with a GIS image. If you look at the photo on the record card of 27 Elizabeth St, the house looks just like the shape on parcel 61-5. Again I will bring this up to MVPC to correct that. Maybe Inspectional Services has an as-built plan for 27 Elizabeth St that could help."

Councilor Einson stated that they still have time, it probably would not be a bad idea to continue this until we get this matter nailed down.

Councilor Lennon recommended that they should look at the subdivision plan as that is where they will find out where the bounds of the parcel are.

Councilor Einson stated that they still have time, it probably would not be a bad idea to continue this until we get this matter nailed down.

Councilor Lennon again suggested they try to get the subdivision plan because it will show the open space parcel.

Councilor Stanganelli moved to approve as submitted with deletion of that reference to that particular parcel; Section 1, item 4.

Councilor Rinaldi seconded.

Roll call vote was taken and it was voted in favor (8) opposed (1) Kisieleski

Councilor Wheeler noted that Council rules state that anything brought up after 10:30 pm be done so at the discretion of the City Council. He noted that they still have 8 more public hearings and 11 first reads on the agenda.

Councilor Wheeler made a motion to allow this meeting to run to 11:15pm to give another 45 minutes and then anything left on the docket will continue to next month or create a special meeting.

Councilor Mandeville seconded.

Roll call vote was taken and it was voted in favor (9) Unanimous.

2021-105 An Ordinance to establish zoning regulations for short-term rentals of residential units in the City of Amesbury. - Mayor and Councilor Gilday Sponsor

Summary: Like many communities in the Merrimack Valley and on the North Shore, Amesbury is a desirable location to visit. Individual property owners and agencies such as Airbnb and VRBO provide an “away from home” experience by offering residential units to guests as an alternative to the more traditional hotel stay. However, this practice can have a negative impact on community services such as police and fire, disrupt neighborhood peace with noise, traffic, and related issues, and erode a community’s long-term residential rental unit inventory. Therefore, the City of Amesbury shall establish zoning regulations that define the type of residential unit that can be used as a short-term rental in the City of Amesbury, the minimum length of stay for rental agreements for such units, and the residency requirements that must be met by a homeowner in order to offer their residential property as a short term rental unit in the City of Amesbury.

This item was continued from the September meeting to allow as the subcommittee was still reviewing the Ordinance.

Councilor Mandeville read the Ordinance Committee recommendation of September 21, 2021 in which 2021-105 was sent back to the City Council with a positive

recommendation with the inclusion of defining a unit as a 911 address.

Councilor Stanganelli read the Finance Committee recommendation of September 28, 2021 in which 2021-105 was sent back to the City Council with a positive recommendation.

Councilor Einson stated that the public hearing was opened at the September 14 meeting and was not closed. Does any member of the public wish to speak on this item?

Councilor Mandeville summarized a letter from Scott Kelley. The high points of it were including a community impact fee. He believes that per the language of this that will be incorporated into it as long as the rentals are registered with the state. Another point was that he felt that you should be able to have investment property homes, holiday homes and unused homes included in this. That they will be able to get a license that limits to the number of licenses to any individual or business. He noted that no business or entity should hold more than 5 licenses. Also, creating a mechanism for getting businesses in a short term rental space invested in Amesbury. So, any business entity may hold no more than 3 short term rental licenses but they have to maintain a regular business within the City of Amesbury in order to have local investment in that. He stated those are the highlights.

Councilor Gilday read a letter from Joel D'Arcy.

Councilor Einson closed the public hearing.

Councilor Lennon moved to approve 2021-105 as presented.

Councilor Gilday seconded.

Roll call vote was taken and it was voted in favor (7) opposed (2) Kisieleski and Stanganelli

Councilor Einson stated that at this point he would like to take 2021-108 out of order and then get the first readings done and what is left continue to a Special City Council meeting for next Tuesday.

Councilor Wheeler moved to take 2021-108 out of order, do the first readings and then schedule what is left to a City Council meeting for next Tuesday.

Councilor Stanganelli seconded.

Roll call vote was taken and it was voted in favor (9) Unanimous.

2021-108 An Ordinance to adopt a limit on the number of licenses that may be issued for local cannabis retail sales locations. - Councilors Stanganelli, Rinaldi and Hogg
Sponsor

Summary: This ordinance implements the local option to limit the total number of retail cannabis licensees operating within the city.

Councilor Einson stated that this item was referred to the Finance Committee and Ordinance Committee for recommendation, and the Chamber of Commerce and Economic Development Committee for information purposes.

Councilor Stanganelli read the Finance Committee recommendation of September 28, 2021 in which 2021-108 was sent back with a positive recommendation.

Councilor Mandeville read the Ordinance Committee recommendation of September 21, 2021 in which it was voted to continue to the next regularly scheduled Ordinance Committee meeting feeling that there is inadequate information. There was confusion as to the whether or not it was related to the available number of liquor licenses or issued number of liquor licenses. They are looking for some clarification on that before making a recommendation.

Councilor Einson opened the public hearing.

Scott Winters of 146 ½ Market St read his statement.

Councilor Stanganelli explained that there should have been a report that was submitted called proposed cannabis regulations overview. He stated he was trying to get feedback from the Amesbury Police Department but his meeting is schedule for this Friday to go over this and #111 as well and a third piece.

Phil DeCologero of the Chamber of Commerce stated that the Economic Development Committee did meet and the motion included an FYI that they would be provided and able to see the materials. They did invite some of the stakeholders. Individual businesses have differing opinions. They would like to have more discussion.

Councilor Einson stated that he would leave the public hearing open.

Dan Talbot of ATG stated that as long as this is to be continued he would wait to discuss.

Councilor Stanganelli noted that everyone should have in their possession a copy of the Liquor License report and proposed cannabis regulations overview that was provided.

Councilor Wheeler moved to continue 2021-108 to our regularly scheduled November meeting.

Councilor Hogg seconded.

Roll call vote was taken and it was voted in favor (9)

Councilor Wheeler moved to continue the remaining public hearings to our next Special City Council meeting to be held on October 19, 2021 immediately to follow the Ordinance Committee meeting.

Councilor Lennon seconded.

Roll call vote was taken and it was voted in favor (9) Unanimous.

First Readings

2021-135 A Resolution to Request Release of State-Appropriation for Construction of Soccer Fields at Woodsom Farm – Councilors Stanganelli, Rinaldi and Hogg Sponsor
Summary: To support the construction of soccer fields at Woodsom Farm by requesting before expiration that state-appropriated funds allocated for this purpose be released to the City.

Councilor Stanganelli moved to refer to Finance Committee with a public hearing to follow on November 9, 2021.

Councilor Lennon seconded

Roll call vote was taken and it was voted in favor (8) Abstained (1) Wheeler

2021-136 An Order to approve payment from the FY '22 general fund operating budget for the below listed prior year invoices. – Mayor Sponsor
Summary: The below listed invoices are for operating expenses related to supplies or services rendered in FY '21 but for which funds were not encumbered by the corresponding city department at fiscal year-end. This order requests payment be made to the listed vendors from the corresponding department's current year (FY '22) operating budget in accordance with M.G.L. c. 44 s. 64. This vote requires a two thirds approval of the city council.

Councilor Stanganelli moved to send to the Finance Committee with a public hearing to follow on November 9, 2021.

Councilor Mandeville seconded.

Roll call vote was taken and it was voted in favor (9) Unanimous.

2021-137 An Order to authorize the transfer of \$145,000 from Ambulance Receipts Reserved for Appropriation to support the FY 22 Fire/Ambulance operating budget. - Mayor Sponsor

Summary: Council Order 2021-001 voted \$600,000 in Ambulance Receipts to support the FY 22 general fund operating budget. However, since Ambulance Receipts have declined during the pandemic there was only \$455,106.57 available in the account at the time of the vote. Since this time, additional receipts have been collected. This order re-votes the remaining \$145,000 to support the FY 22 operating budget as DOR will require a vote from an "available funding source."

Councilor Stanganelli moved to send to the Finance Committee and schedule a public hearing for November 9, 2021.

Councilor Lennon seconded.

Roll call vote was taken and it was voted in favor (9) Unanimous.

2021-138 An Order to authorize the Mayor to expend a Massachusetts School Building Authority (MSBA) grant to replace the Amesbury Elementary School (AES) with a new building. - Mayor Sponsor

Summary: This grant (of up to \$23,942,384) from MSBA was received in September 2019. It was never submitted to City Council for acceptance and authorization to spend by the previous administration.

Councilor Stanganelli moved to send to the Finance Committee and schedule a public hearing for November 9, 2021.

Councilor Lennon seconded.

Roll call vote was taken and it was voted in favor (9) Unanimous.

2021-139 An Order to authorize the Mayor to accept and expend a FY22 Municipal Road Safety (MRS) Program grant from the Commonwealth of Massachusetts, Executive Office of Public Safety & Security, Office of Grants & Research (OGR). – Mayor Sponsor

Summary: This \$29,749 MRS grant from OGR will fund traffic enforcement initiatives, including purchase of radar units and speed radar signs.

Councilor Stanganelli moved to send to the Finance Committee and schedule a public hearing for November 9, 2021.

Councilor Lennon seconded.

Roll call vote was taken and it was voted in favor (9) Unanimous.

Councilor Mandeville moved to extend this meeting to finish first readings.

Councilor Wheeler seconded.

Roll call vote was taken and it was voted in favor (9) Unanimous.

2021-140 An Order to authorize the Mayor to accept and expend a FY2022 Community Compact Best Practices Grant from the Commonwealth of Massachusetts, Department of Revenue, Division of Local Services. – Mayor Sponsor

Summary: This \$25,000 Community Compact Best Practices grant is being awarded to support the City of Amesbury's efforts to develop a comprehensive set of Human Resources policies and procedures and a robust training program to ensure that City personnel are fully prepared to address issues in today's workplace.

Councilor Stanganelli moved to send to the Finance Committee and schedule a public hearing for November 9, 2021.

Councilor Lennon seconded.

Roll call vote was taken and it was voted in favor (5) Motion passes.

2021-141 An Order to authorize the Mayor to accept and expend a FY2022 Legislative Earmark Grant Award from the Commonwealth of Massachusetts, Executive Office of Elder Affairs. – Mayor Sponsor

Summary: This \$20,000 Legislative Earmark Grant Award is awarded to support the activities of the City of Amesbury's Council on Aging.

Councilor Stanganelli moved to send to the Finance Committee and schedule a public hearing for November 9, 2021.

Councilor Hogg seconded.

Roll call vote was taken and it was voted in favor (5) Motion passes.

2021-142 An Order to authorize the Mayor to expend, for its second year, a Drug Free Communities Support Program Grant from the United States Department of Health and Human Services (HHS) Center for Disease Control and Prevention (CDCP). – Mayor Sponsor

Summary: This \$125,000.00 Federal grant from HHS/CDCP will continue to fund the Partnership of Amesbury Community and Teens (PACT) Coalition's Substance Abuse Prevention Program. This grant addresses two major goals: to establish and strengthen collaboration among communities, public and private non-profit agencies, and federal, state, local and tribal governments to support the efforts of community coalitions; and to reduce substance use among youth and, overtime, among adults.

Councilor Stanganelli moved to send to the Finance Committee and schedule a public hearing for November 9, 2021.

Councilor Lennon seconded.

Roll call vote was taken and it was voted in favor (5) Motion passes.

2021-143 An Ordinance to strengthen the City's Solid Waste Ordinance. – Mayor, Councilor Stanganelli and Councilor Hogg Sponsor

Summary: Section 392-2 of the City Ordinances address placement for collection of solid waste receptacles. Given the increasing problems with rodents in the City and beyond, the Health Department has reviewed this ordinance and recommended additional language to ensure compliance with the Commonwealth's Sanitary Code with respect to storage of garbage and rubbish.

Councilor Stanganelli moved to send to the Ordinance Committee and schedule a public hearing for November 9, 2021.

Councilor Hogg seconded.

Roll call vote was taken and it was voted in favor (5) Motion passes.

2021-144 An Ordinance to authorize the City to create an Electric Vehicle (EV) Charging Station Revolving Fund for the collection of revenue obtained from sponsorships of advertising on EV charging stations and energy sales revenue. – Mayor and Councilor Rinaldi Sponsor

Summary: In order to fund the maintenance contract for the eight (8) EV stations currently in Amesbury, the City, through the efforts of the Energy Committee, will solicit and contract with local business owners for advertisement on the EV charging stations. This revenue will also allow the City to reduce the cost of the energy dispensed during a charging session, making the stations more attractive to potential users.

Councilor Stanganelli moved to send to the Finance Committee and Ordinance Committee and schedule a public hearing for November 9, 2021.

Councilor Lennon seconded.

Roll call vote was taken and it was voted in favor (5) Motion passes.

2021-145 An Order to amend Council Order 2021-075 for purchase of portable Police Department radios - Mayor Sponsor

Summary: In August 2021, the Police Department was working on the bidding process for the Radio Tower upgrade. As they were coordinating a site visit they had a conversation with Chris Ryan, Deputy Director of North Shore Regional Communications. Mr. Ryan stated that they would be willing to pay for the radio equipment and installation on Powow Hill and 180 Main Street, thus eliminating the need for the City to use its own funds for this project.

Councilor Stanganelli moved to send to the Finance Committee and schedule a public hearing for November 9, 2021.

Councilor Lennon seconded.

Roll call vote was taken and it was voted in favor (5) Motion passes.

Councilor Lennon moved to Adjourn at 11:25pm.

Councilor Gilday seconded.

Roll call vote was taken and it was voted in favor (9) Unanimous.

Respectfully submitted,

Sharon Dunning
Assistant City Clerk

Amanda Haggstrom

From: Paul Fahey
Sent: Thursday, December 9, 2021 3:46 PM
To: Amanda Haggstrom
Cc: Mayor Gove
Subject: ORDER 2020-118 REPORT FOR DECEMBER 2021

Amanda –

As required per Order 2020-118 (An Order to Simplify the Process for Acceptance and Expenditure of Grants by the City of Amesbury), the Mayor is providing this information to the City Council for December 2021:

GRANTS UNDER \$5,000

NONE

GIFTS UNDER \$5,000

Donation from Councilor Pam Gilday to City Clerk Amanda Haggstrom to cover cost of City Clerk's attendance at Massachusetts City/Town Clerk's Conference – Valued at \$925 – Received December 9, 2021

This report is through December 10, 2021, my final day of employment with the City of Amesbury. There may be further grants or gifts reported after this date. Thanks.

Paul

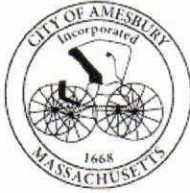
Paul Fahey
Chief of Staff
Office of the Mayor

City of Amesbury
62 Friend Street
Amesbury, MA

t: (978) 388-8121
m: (202) 664-4911
e: faheyp@amesburyma.gov
www.amesburyma.gov



Notice: Please be aware the Massachusetts Secretary of State has determined that most emails to and from the City of Amesbury are public records and therefore cannot be kept confidential. MGL: Chpt.66, Sec.10 Public Records Law.



AMESBURY

CITY HALL
62 Friend Street
Amesbury, MA 01913

City Council Ordinance Committee Comments for Working Group

September 21st, 2021

Present were: Attorney Johnson, Councilor Lennon, Attorney Raffa, Councilor Rinaldi and Councilor Mandeville

2021-093 An Ordinance to establish a licensing process for short term leases of residential units in the City of Amesbury. – Mayor Gove and Councilor Gilday sponsor

- Councilor Gilday said bill 2021-093 is still in the July 2nd, second amended version, state.
 - This includes all the edits suggested by KP Law.
 - This does not include feedback from the August 17th Ordinance Committee meeting or including language from Lexington's STRU regulations.
- Angela Cleveland stated that order 2021-105 had been altered to read Short Term Rental" instead to "Short Term Rental Unit". She said she could do a quick sweep of 2021-093 to alter the language to stay consistent.
- Councilor Gilday's opinion is the bill is good where it is at.
- Councilor Mandeville said he agrees with Councilor Gilday, where 2021-093 is good as where it is at.
- Councilor Mandeville said there had been a public comment suggesting the penalty for three complaints should be 12 months without a STRU license.
 - Councilor Mandeville said he does not agree with this public comment.
 - Councilor Rinaldi said he does not agree with this public comment either.
- Councilor Rinaldi brought forth another public comment stating, in paragraph 4 on page 7 the language should say that a license is required for **each** unit.
 - Councilor Mandeville stated that it was overly onerous requiring an individual to carry multiple licenses for each unit especially for places with or with the potential for multiple units.
 - Councilor Rinaldi said the commenter wants the idea to be more defined. He gave the example of, as of right now the language seems like even if someone has two separate condos being rented out as a STRU, the owner would only need one license.
 - Councilor Mandeville said the language needs to be careful of spot zoning.
 - Councilor Gilday said she does think that the language in paragraph 4 on page 7 is a little vague.
 - She said the way she sees it, is if someone owns a duplex and wants to rent both of the units out as a STRU, they would need two separate

licenses. Those are two separate properties that both need to be inspected and both need to be registered.

- Councilor Lennon said she would like to see all units with their own license. She gave the example of an 8 unit building being bought and rented out as separate Air BnB's.
 - She said each unit has an address and should be licensed as such for the sake of inspectional services, police and fire.
 - Councilor Mandeville replied by saying this scenario is covered by rules and regulations stating the property must be the renter's primary or vacation home and not an income property. This language is included in 2021-105.
- Councilor Gilday said she believes the intent to have every unit licensed was there all along, there is just a language issue. She referred to the suggested edit proposed by a citizen that she sent in the Go to Meeting chat:
 - "Proposed amendment: A separate Short-Term Rental Unit license shall be required for each Short-Term Rental Unit. If a property includes more than one Short-Term Rental Unit each Short-Term Rental Unit shall be required to be licensed individually."
- Ordinance Committee decided to suggest an addition to the bill, in short, that **each unit shall carry its own license.**

2021-105 An Ordinance to establish zoning regulations for short term rentals of residential units in the City of Amesbury. - Mayor and Councilor Gilday Sponsor

- Councilor Gilday gave a brief overview:
 - Angela Cleveland is now the keeper of the master document.
 - The goal in the workgroup is to make the bill less restrictive.
- Angela Cleveland stated that she discovered the zoning bylaws do not define a "unit" or "residential unit".
 - The term "dwelling" is defined. This is defined as, "a privately or publicly owned permanent structure containing a dwelling unit or dwelling units. The term one family, two family or multifamily dwellings shall not include; hotel, lodging house, hospital, membership club, trailer or dormitory."
 - She said the term "unit" may need to be defined.
 - She said defining "investment property" would make it so if anyone wanted to change the definition they would not have to change the bill itself.
 - She suggested updating Amesbury's bylaws if it is decided to add and define the word "unit".
- Councilor Lennon said she thinks the definition of "unit" should be an address consistent with the 9-1-1 addressing.
 - She gave the example of if someone is renting out a room in their home, the whole home should be licensed to ensure safety and health of renter.

Respectfully Submitted by, Ellie Andersen, September 27, 2021



The Commonwealth of Massachusetts
William Francis Galvin
Secretary of the Commonwealth
AMESBURY CITY ELECTION

County of Essex, SS.

To the Constable of the City of Amesbury

Greetings:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said City who are qualified to vote in Elections to vote at

1, 2, 3, 4, 5, 6
(DISTRICTS)

AMESBURY HIGH SCHOOL
5 HIGHLAND STREET
(POLLING LOCATION)

on TUESDAY, the SECOND DAY OF NOVEMBER, 2021, from 7:00 a.m. to 8:00 p.m. for the following purpose:

To cast their votes in the City Election for the candidates for the following offices:

MAYOR.....	For the City of Amesbury
COUNCILOR AT LARGE.....	For the City of Amesbury
DISTRICT COUNCILOR 1,2,3,4,5,6	For the City of Amesbury
SCHOOL COMMITTEE.....	For the City of Amesbury
LIBRARY TRUSTEES.....	For the City of Amesbury
PLANNING BOARD.....	For the City of Amesbury
HOUSING AUTHORITY.....	For the City of Amesbury

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this _____ day of _____, 2021

_____, President

_____	_____
_____	_____
_____	_____
_____	_____

Amesbury

City Councilor



Steven Stanganelli
Councilor At Large
City Hall, Office of the City Clerk
62 Friend Street
Amesbury, MA 01913

(978) 388-8143
Fax: (978) 388-8150
councilorstanganelli@amesburyma.gov

UPDATE October 8, 2021

Amesbury Housing Trust Status Report to City Council

The Amesbury Housing Trust was created by a City Council vote taken on October 12, 2012 when the Council accepted the provisions of MGL Chapter 44, Section 55C.

Order 2021-065 sponsored by the Mayor amended the 2012 order to amend Part I to add Chapter 8 which set forth the powers of the Trustees of the Amesbury Housing Trust. This is the governing document of the Trust.

For Reference:

https://www.amesburyma.gov/sites/g/files/vyhlf6891/f/pages/2021-065_an_order_to_amend_part_i_of_the_administrative_legislation_ordinance_to_add_chapter_8_amesbury_housing_trust.pdf

Authorization:

The purpose of the Trust is outlined in Section 8-1 "Authority and Purpose" of Order 2021-065 as "to provide for the creation and preservation of affordable housing ... for the benefit of low and moderate income households ..."

Under Section 8-5 "Power of Trustees" of Order 2021-065, the Housing Trust has broad powers to use Trust assets to further the purpose of the Trust.

This includes using cash receipts

- Section 8-5, N: "To apportion receipts and charges between incomes and principal as the Trustees deem advisable ..." and
- Section 8-5, Q: "To make distributions or divisions of principal in kind" and
- Section 8-5, S: "To establish criteria and/or qualifications for recipients and expenditures in accordance with Trust's stated purpose."

Also noted within Section 8-5 is the "full power and authority ... to expend ... Trust funds ... to the extent that all funds ... may be expended if the Trustees deem such expenditure appropriate."

The Trust document notes that various actions of the Trust will require approval of the Mayor and City Council, namely related to buying, selling, or mortgaging real or personal property.

The City website further notes that the Trust “will implement the recommendations of the Mayor and the City Council.” (See <https://www.amesburyma.gov/amesbury-housing-trust>)

Strategy Document:

The principal reference document used by the Amesbury Housing Trust is the “City of Amesbury Housing Production Plan 2018-2022” prepared in collaboration with the Merrimack Valley Planning Commission.

The goals and strategies being considered by the Housing Trust are noted in Chapter 5: Housing Goals and Strategies (beginning on page 52). These include providing support for elderly to age in place, providing direct support for renters, and building or preservation of housing stock for low- and moderate-income residents.

https://www.amesburyma.gov/sites/g/files/vyhlf6891/f/uploads/amesbury_hpp_final_approved_2020.pdf

Funds and Resources:

As of August 31, 2021, there is \$92,638.62 in the Housing Trust Fund. The source of these funds has been developer fees paid in lieu of providing affordable housing units in projects, and several years’ worth of monitoring fees from Amesbury Heights (\$24,000 total).

Additional funds are pending from grants or fees, namely:

- \$6,000 per year from Amesbury Heights as part of their affordable housing monitoring agreement
- Federal HOME Funds by a formula to each of the North Shore Consortium’s member communities which has accumulated and not been expended partly due to extensions related to COVID: \$169,129
 - 2019: \$36,081
 - 2020: \$41,477
 - 2021: \$44,571
 - 2022: \$47,000 (estimated)

Potential future sources of funds for the Trust include a portion of Doing Business As (DBA) Certificate fees as noted in 2021-110 as well as from licensing fees for short-term rentals noted in 2021-093.

Priorities and Projects:

During the August 11, 2021 meeting, the Trustees discussed various uses of the federal HOME Funds. As OCED Director Cleveland noted, the Trust should draw from the priorities of the Trust, as identified and approved at their June 8, 2021 Meeting:

- Identify Local Revenue sources
- Investigate Accessory Dwelling Unit bylaw and modify zoning
- Conduct outreach to property owners of abandoned lots
- Work with housing authority
- Maintain existing units/properties on the Subsidized Housing Inventory
- Work with existing landowners of units that are charging affordable rents to put their units on the Subsidized Housing Inventory

During the June 9, 2021 meeting, the Trustees were introduced to the idea of a senior rental assistance program. While no formal vote was taken, there was support from all members in attendance for the draft form of what was eventually submitted as 2021-107. This particular matter has been referred to the Trust to consider at its next schedule meeting on October 6, 2021.

During the Trust's meeting on October 6, 2021, the formally submitted proposal (2021-107) was reviewed, discussed, edited, and approved unanimously by the five Trustees in attendance.

NOTE: 2021-107 is in line with the strategies outlined in this document, in the Planning and Policies section of Chapter 5, namely:

- Item 6 (page 55): Provide support for elderly to age in place.
- Item 8 (page 55-56): Provide direct support for low income homeowners and renters struggling with housing costs.

https://www.amesburyma.gov/sites/g/files/vyhlf6891/f/minutes/20210609_housing_trust_minutes.pdf

PETITION TO PAVE HIGH STREET FROM BRIDGE TO WHITEHALL

Dear City Council,

As residents of High Street, we are asking to have our street repaved, the pipe under the manhole cover repaired properly, and sidewalks fixed. Since the partial repair this winter to the area around the manhole, the manhole cover has already started sinking, two holes have appeared where the asphalt has sunk and caused dangerous holes especially for the many bikers who ride through. One has a temporary repair but is still sinking. Our sidewalks are severely cracked, raised due to root systems of removed trees, and missing concrete making them difficult to walk on.

Our street is the main route for people who live on upper Whitehall Road to get downtown or to Route 95. This area includes two apartment complexes, three condominium developments and many single-family homes. We're sure if you checked the traffic flow on this street you would be amazed at the number of vehicles using our street in a day. Tractor trailer trucks use our street daily with their heavy loads.

Thank you for your time tonight and we're looking forward to a repaired street.

Jay M. Vignar	103 High St
Jay's Ricci	105 High St
Elisabeth Ryan	105 High St
Ellen Hall	53 Whitehall Rd
Matthew Hall	53 Whitehall Rd
Barbara Bunkley	108 High St
Mark Irving	104 High St
Ronald Drury	104 High St
James Alexander	96 High St.
James Alexander	96 High St
Ally Bl	97 High St. #1 Floor
M M MacDougall	97 High St } #2 Floor
Douglas MacDougall	97 High St } #2 Floor
John Bunker	97 High St. #1 Floor

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M. G. Donahue	102 High St
Christina Le	102 High St
Silvia C. Talero	101 High St
Valerie Vignault	101 High St
DAVE STUMS	103 High St.
Nathleen M. Cullen	100 HIGH STREET
William Cullen	109 High Street
	109 High Street

October 2021 License List

	New/Renewal	Business Name	Address	Name	Purpose	Type
1	New	Greenery Designs - Push Cart	8 Market Square	Terrence Gleason	Floral Cart	Transient Vendor/Cart
2	New	Seichie Snacks	86 High St	Kim Kezer	Dog Cookies	Common Victualer
3	New	Just Freedom	13 Third St	Nicholas Mele	On-line Retail Clothing/Apparel	General Business
4	New	Alchemy & Art, LLC	44 Main St	Debra Schmill	Art Gallery & Art Supplies	General Business

FW: Sidewalks and traffic calming High Street

Sharon Dunning <SHARON@amesburyma.gov>

Tue 10/12/2021 5:43 PM

To: Matt Einson <counciloreinson@amesburyma.gov>; Nick Wheeler <councilorwheeler@amesburyma.gov>

Cc: Katherine Andersen <andersene@amesburyma.gov>; Amanda Haggstrom <haggstroma@amesburyma.gov>

This was received at 4:20 this afternoon for public comment tonight.

From: kathleen Aitken [lilakw25@hotmail.com]

Sent: Tuesday, October 12, 2021 4:07 PM

To: clerk

Subject: Sidewalks and traffic calming High Street

Good Evening Committee Members,

My family loves the city of Amesbury. We love our spot on High Street near Lake Gardner. We love that many other residents enjoy this natural treasure as well and can be spotted walking, riding, running and driving along High Street to get there all through the year.

What we don't love is the lack of safe, walkable sidewalks on our street. What we don't love are cars using the stretch from Terry Recal Services to the stop sign at the end of High Street as a race track. We don't love band aids used to temporarily solve long overdue problems with the condition of the street and sidewalks. The sidewalks are deplorable. They are dangerous. We pay over \$500 a month in taxes and my children can't safely use their scooters or bikes along our portion of High Street. Walking after dark is a complete hazard. Halloween trick or treating proves exceptionally challenging until we get off of High Street. Per Nicholas Wheeler, High Street is the 4th busiest street in District 4. It is a main thoroughfare for cars, walkers, and exercise enthusiasts alike. It should be invested in.

In addition to the lack of capital investment on High Street, safety measures are lacking. Drivers do not adhere to speed limits. We need updated signage showing the new speed limit. We need ways to implement traffic calming on the street. Now is the time to make these changes. Our citizens deserve to be able to safely use a main street in their city without fear of injury.

Sincerely,

Kathleen Aitken
109 High street

RE: Amesbury- Bill No. 2021-093

Sharon Dunning <SHARON@amesburyma.gov>

Fri 12/17/2021 9:11 AM

To: Pamela Gilday <councilorgilday@amesburyma.gov>

Thank you!

Sharon Dunning

Assistant City Clerk

City of Amesbury

62 Friend St

Amesbury, MA 01913

978-388-8100

From: Pamela Gilday

Sent: Thursday, December 16, 2021 8:33 PM

To: ClerkList

Subject: FW: Amesbury- Bill No. 2021-093

Hi Sharon,

Here is the letter from Lon Sherman.

-Pam

From: Sherman Lon G. [lon.sherman@gmail.com]

Sent: Tuesday, September 14, 2021 2:52 PM

To: clerk; Mayor Gove; Pamela Gilday; Charlie Cullen; Jon Hickok; Debra D'Arcy; Greg Southard; Leonard (John) Johnson; Christine Johnson; Kevin Burns; Donna Andersen; Lisa Ward

Subject: Amesbury- Bill No. 2021-093

ATTENTION the City Clerk:

I request that the following comments be read along with suggested amendments when the proposed bill 2021-093 is discussed during the City Council meeting on September 14, 2021:

1) Penalties and City Actions for Non-Compliance (2021-093, page 6)

The penalty for three (3) or more complaints within a six (6) month period will result in the unit no longer being eligible to that property owner for use as a Short-Term Rental Unit for **a period of six (6) months following the most recent violation.**

Discussion of concerned clause: **a period of six (6) months following the most recent violation:**

As many if not the majority of Rentals may occur during specific seasonal periods especially summer months, the penalty of 6 months will often terminate during a low period of rental use. For example a penalty given for loud noises occurring during summer rentals will last until early the following year (January- March). This will

allow the licensee to legally resume short term rentals the following summer season without meaningful consequences. A 12 month penalty would have the impact the proposal was intended to ensue.

Proposed amendment: The penalty for three (3) or more complaints within a six (6) month period will result in the unit no longer being eligible to that property owner for use as a Short-Term Rental Unit for **a period of twelve (12) months following the most recent violation.**

2) Short-Term Rental Unit Licensing (2021-093, page 4, paragraph 7)

A separate Short-Term Rental Unit license shall be required for each property for which a property owner intends to offer as a Short-Term Rental Unit.

Discussion: The language in this paragraph implies that each property has only one rather than multiple Short-Term Rental Units. In practice a single property such as a duplex or two-family home in which the homeowner owns both properties, could be offer several Short-Term Rental Units. Each property, if greater than a single family home, and especially a multi-family home, should in practice have a limit of one (1) single Short-Term Rental Unit per property.

Proposed amendment: A separate Short-Term Rental Unit license shall be required for each **Short-Term Rental Unit**. If a property includes more than one Short-Term Rental Unit, each Short-Term Rental Unit shall be required to be licensed individually.

3) Short-Term Rental Unit Licensing (2021-093, page 3, paragraph 3)

As part of the application for a Short-Term Rental Unit License, the property owner shall also certify under penalty of perjury that he/she is aware of all applicable laws, rules and regulations and will abide by and comply with all the requirements of the license, and any applicable laws, ordinances, rules and regulations, including without limitation this Ordinance and the City's Zoning Ordinance.

Discussion: The City's Zoning Ordinance includes several districts that exclude of any commercial entity within those districts (for example R1). Clearly, Short-Term Rental Unit licensing is a commercial entity deriving income as well as appropriate taxation due to the City for any income derived from participants. The Short-Term Rental Unit License Ordinance appears to be in conflict with the existing zoning regulations that prohibit commercial entities. In order for the License Ordinance to be in compliance with the existing zoning regulations, certain districts within the City cannot allow the property owners the right to apply for Short-Term Rental Unit licensing if in conflict with zoning regulation.

Proposed amendment: As part of the application for a Short-Term Rental Unit License, the property owner shall also certify under penalty of perjury that he/she is aware of all applicable laws, rules and regulations.....including without limitation this Ordinance and the City's Zoning Ordinance. Districts within the City's Zoning Ordinance which prohibit commercial use are excluded from applying for a Short-Term Rental Unit License.

Thank you to all Council members and especially to Mayor Kassandra Gove and Councilwoman Pamela Gilday for their effort in bringing forth this important issue.

Dr. Lon Sherman

Notice: Please be aware the Massachusetts Secretary of State has determined that most emails to and from the City of Amesbury are public records and therefore cannot be kept confidential. MGL: Chpt.66, Sec.10 Public Records Law.

October 10, 2021

100 High Street
Amesbury MA 01913

Mr. Nicholas Wheeler
Amesbury City Councilor, District Four
City Hall, City of Amesbury
62 Friend Street
Amesbury MA 01913

Re: High Street Reconstruction

Councilor Wheeler,

I am writing today to state clearly that, as a resident of Amesbury for twenty years, I am asking that High Street be reconstructed, including utilities and sidewalks, as a matter of public safety.

The word "reconstruction" is intended here to indicate the following:

- Removal of current layers of asphalt, badly broken and patched repeatedly in many places;
- Replacement of water, sewer, and other utilities as determined to be necessary;
- Removal and replacement of all utility poles that are currently placed in the street surface;
- Correction of drainage and subsurface irregularities and subsidence;
- Design and placement of traffic calming structures, including:
 - Speed tables (at least one between the Powow River and Whitehall Road)
 - Bump-outs where possible
- Removal and reconstruction of all sidewalks as poured concrete (not asphalt) sidewalks;
- Removal and reconstruction of all curbing with cut granite curbing;
- Complete asphalt paving designed to last for at least two decades;
- Placement of a pedestrian crosswalk in close proximity to the west edge of the existing Powow River bridge, in order to improve safety for pedestrians on the north side of High Street who must cross to the south side (due to the lack of bridge north side sidewalk).

The placement of a new, thin asphalt topcoat planned for the portion of High Street between the Powow River and Whitehall Road intersection is a purely temporary step that will not survive, just as past such temporary topcoats have not survived. The continued breaking up of the road surface and settlement where water and gas utility lines have been replaced, with patching, has not been addressed with these temporary measures. It is a waste of taxpayer money to continue this temporary patchwork effort, as will be immediately evident within months.

I would like to point out that the breaking up of the current layers of thin asphalt topcoats, one on top of another, results in repeated build-up, every year, of more and more asphalt "detritus" – clumps of asphalt, large and small. The fact that there is no scarifying and removal of these failed asphalt layers and all of the broken asphalt only makes adding a new thin layer more ineffective. The sidewalk conditions are abominable. There are an ever-increasing number of walkers, joggers, dog walkers, and delivery people that use High Street sidewalks daily; it is great to see so many active people in our city, but the sidewalk conditions clearly represent a danger to all.

It is my understanding that my immediate neighbors, residents of High Street for more than fifty years, have never witnessed any reconstruction of sidewalks, curbing, or street surface. This speaks to the degree of non-investment on this street over a period of decades, resulting in the poor conditions today.

Petition for Reconstruction

The recent petition signed by a number of High Street residents asking for reconstruction is intended to address the full

set of conditions for the failed sidewalks, curbing, and street surface. This petition is not satisfied by a Band-Aid solution such as the new round of very thin asphalt topcoat and failure to address the failed conditions.

Traffic Calming

Traffic calming devices are asked for given the large volumes of truck and automobile traffic, from Southern New Hampshire and from Whitehall Road, as well as the very obvious speeds of virtually all vehicles passing on High Street. It is clear that some cars and trucks are operating at speeds in excess of fifty miles per hour, in what had been a 30MPH residential street. Signage stating the new citywide 25MPH maximum speed would be very much appreciated, but physical restrictions and warning devices are clearly needed.

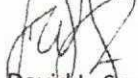
One Way Designation

In a recent discussion about High Street conditions with our Mayor, consideration was mentioned as to whether designating one-way operation on some portion of High Street would be effective. Even if this were to be implemented from Pond Street to Whitehall Road, this would certainly help to reduce traffic volumes. High Street and Thompson Street are both narrow residential streets, not designed to be high-volume thoroughfares. As a resident, I would be in favor of implementation.

I understand that many streets are in need of similar work and that there are limits to funds available. It is the use of temporary patchwork solutions that clearly do not last for more than very short time periods that creates real frustration and the continued patching that must be done every year. The condition of the sidewalks is a serious potential safety problem and, potentially, injury lawsuits. The use of traffic calming devices is seen as a common solution being used in towns and cities across the Commonwealth to force attention to both crosswalks and speed limits, as population density increases. This is no longer a solution only for well-to-do suburban communities.

Thank you for your attention to this request. Thank you for all of your time and attention and diligence with regard to Amesbury matters of all kinds. This is a really great community to live in with a high quality of life. I am hopeful that High Street will be seen as very much in need of much more serious attention in the near future.

Best Regards,



David L. Saums
Resident



COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF THE STATE TREASURER ALCOHOLIC BEVERAGES CONTROL COMMISSION

95 Fourth Street, Suite 3 Chelsea, MA 02150-2358

Jean M. Lorizio, Esq.
Commission Chairman

QUOTA BREAKDOWN

As of: 9/29/2021
Town of: Amesbury (0022)

ANNUAL						
On Premise Retail			Exemption			
	Allowed	Total Issued	Special Leg	Vets Clubs	Farmer Series PP	Total Available in Quota
AB	17	20	4	0	0	1
WM	5	5	0	0	3	
WMC		3	0	0	0	0
Off Premise Retail			Exemption			
	Allowed	Total Issued	Special Leg	Vets Clubs	Farmer Series PP	Total Available in Quota
AB	4	4	0	0	0	0
WM	5	5	0	0	0	0
SEASONAL						
On Premise Retail			Exemption			
	Allowed	Total Issued	Special Leg	Vets Clubs	Farmer Series PP	Total Available in Quota
AB	0	0	0	0	0	0
WM	0	0	0	0	0	0
WMC		0	0	0	0	
Off Premise Retail			Exemption			
	Allowed	Total Issued	Special Leg	Vets Clubs	Farmer Series PP	Total Available in Quota
AB	0	0	0	0	0	0
WM	0	0	0	0	0	0

Annual	AB	SECTION 12
Club		3
General On-Premises		1
Restaurant		16
Annual	WM	SECTION 12
Farmer Brewery Pouring Permit		2
Farmer Winery Pouring Permit		1
General On-Premises		3
Restaurant		2



AMESBURY

CITY HALL
62 Friend Street
Amesbury, MA 01913

City Council Ordinance Committee Comments for Working Group

September 21st, 2021

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- Councilor Gilday said bill 2021-093 is still in the July 2nd, second amended version, state.
 - This includes all the edits suggested by KP Law.
 - This does not include feedback from the August 17th Ordinance Committee meeting or including language from Lexington's STRU regulations.
- Angela Cleveland stated that order 2021-105 had been altered to read Short Term Rental" instead to "Short Term Rental Unit". She said she could do a quick sweep of 2021-093 to alter the language to stay consistent.
- Councilor Gilday's opinion is the bill is good where it is at.
- Councilor Mandeville said he agrees with Councilor Gilday, where 2021-093 is good as where it is at.
- Councilor Mandeville said there had been a public comment suggesting the penalty for three complaints should be 12 months without a STRU license.
 - Councilor Mandeville said he does not agree with this public comment.
 - Councilor Rinaldi said he does not agree with this public comment either.
- Councilor Rinaldi brought forth another public comment stating, in paragraph 4 on page 7 the language should say that a license is required for **each** unit.
 - Councilor Mandeville stated that it was overly onerous requiring an individual to carry multiple licenses for each unit especially for places with or with the potential for multiple units.
 - Councilor Rinaldi said the commenter wants the idea to be more defined. He gave the example of, as of right now the language seems like even if someone has two separate condos being rented out as a STRU, the owner would only need one license.
 - Councilor Mandeville said the language needs to be careful of spot zoning.
 - Councilor Gilday said she does think that the language in paragraph 4 on page 7 is a little vague.
 - She said the way she sees it, is if someone owns a duplex and wants to rent both of the units out as a STRU, they would need two separate

Sharon Dunning

To: Amanda Haggstrom
Subject: RE: Minute notes

- Page 3 "replace our 1992 E! Which" ... is this correct? s/b 1992 E1, which
- "ISO Rating for the Fire Department" was stated as "ISO Rating for the City of Amesbury" audio says: "what the ISO rating is, relative as a Fire Department in the city."
- RE: 2021-132: FinCom Report vote incorrectly reported: , **7 members voted yes, one no** Votes from Finance/Ordinance do not get reported on CC minutes.
- RE:2021-132, page 5, "...digitizing of surveys" should read "digitizing of consultant staffing reports" and typo "compliment" should read "complement"
audio says: "digitizing of surveys or reports by outside consultants regarding staffing that were to be digitized and loaded to the web site." and typo was corrected to be "complement".

Sharon Dunning

Assistant City Clerk
City of Amesbury
62 Friend St
Amesbury, MA 01913
978-388-8100

From: Amanda Haggstrom
Sent: Thursday, December 16, 2021 2:12 PM
To: Sharon Dunning
Subject: FW: Minute notes

Amanda Haggstrom City Clerk

Justice of the Peace
Notary Public
Commissioner to Qualify
Records Access Officer

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From: Steven Stanganelli
Sent: Thursday, December 16, 2021 11:32 AM
To: Amanda Haggstrom
Subject: RE: Minute notes